

REMARKS

Reconsideration and allowance of the present application are respectfully requested. Claims 1-34 are currently pending in this application.

*Objections to the Specification*

The Office Action objected to the specification based on various formal issues. The present Response amends the specification in a manner which is believed to address the Office Action's objections. Other changes have been made to the specification to address other formal matters identified upon Applicant's independent review of the specification (such as by correcting a typographical error in the abstract). Accordingly, the Applicant respectfully requests the withdrawal of the objections to the specification.

*Objection to the Claims*

The Office Action objected to the claims based on various formal issues. The present Response amends the claims in a manner which is believed to address the Office Action's objections. Other changes have been made to the claims to address other formal matters identified upon Applicant's independent review of the claims (such as by correcting the dependency of claim 7). Accordingly, the Applicant respectfully requests the withdrawal of the objections to the claims.

*35 U.S.C. § 102(b) Rejection*

Claims 1-31 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,852,819 to Beller (referred to as "Beller" below). Applicant respectfully traverses this rejection for the following reasons.

Independent claim 1 recites in full:

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2 1. A computer system user interface for statistical analysis comprising:  
3 a data entry display screen configured to receive user input providing tabular data;  
4 a configuration and control display screen configured to receive user input selecting a  
5 particular statistical analysis to be performed on the tabular data;  
6 statistical computation means responsive to user input received in the configuration and  
7 control display screen to perform the particular statistical analysis using the tabular data entered by  
8 user input in the data entry display screen to generate statistical results wherein the statistical  
9 computation means is operable to retrieve and reformat the tabular data without user interaction;  
10 and  
11 a results page display screen responsive to the statistical computation means and to user  
12 input received in the configuration and control display screen to format and display results of the  
13 statistical analysis.  
14

15 Beller does not teach or suggest at least the element in claim 1 which recites, "a  
16 configuration and control display screen configured to receive user input selecting a  
17 particular statistical analysis to be performed on the tabular data," in combination with  
18 the remainder of this claim's elements, when considered as a whole. The Office Action  
19 identifies column 16, lines 6-19 of Beller as having relevance to the above-identified  
20 feature. However, this portion of Beller states:  
21

22 Also note that error correction routines may be employed by which the CPU 2, via  
23 programming code of the DCCM 24, is instructed to replace specific information and/or data that  
24 has been previously stored in the IRF 40 or IDF 100 with new information and/or data entered into  
25 the input device 5.

1           Returning to FIG. 3, the aforescribed IDF 100 is at block 302F. The IDF 100  
2 comprises:

3           a "table record" (TR) 104 at block 302G, which is comprised of at least  
4           one of the DUs 80 of a single entity that has been stored in the IDF 100  
5           as a single record;  
6           an "extended table record" (ETR) 144 at block 302H (described at a later  
7           point below);

8  
9       This passage has no bearing on "a configuration and control display screen configured to  
10 receive user input selecting a particular statistical analysis to be performed on the tabular  
11 data." For instance, the mention of "error correction routines" does not disclose or  
12 suggest the use of "a configuration and control display screen."

13       Further, Beller does not teach or suggest the element in claim 1 which recites,  
14 "the statistical computation means is operable to retrieve and reformat the tabular data  
15 without user interaction," in combination with the remainder of this claim's elements,  
16 when considered as a whole. The Office Action identifies column 20, lines 4-21 of  
17 Beller as having relevance to the above-identified feature. However, this portion of  
18 Beller states:

19  
20           The information and/or data elements in the PDF 140 are arranged in horizontal and  
21 vertical grid-like formations (such as a continuous tic-tac-toe design) and/or other suitable  
22 formations. The actual location, format, and content of the information and/or data elements are  
23 determined by formulas and/or functions in the DRPF 136 and code in the DPCM 128. DRPF 136  
24 templates may be utilized in which the formulas and/or functions are organized into predetermined  
25 formations. These formations facilitate information and/or data processing and reporting, as

1 discussed below. The values comprising these formations are saved to a one or plurality of PDFs  
2 140, which serve as an intermediate means of data/information formation storage and a convenient  
3 and efficient means for transmission of the data/information formations. The PDF 140 can be  
4 stored in any format that preserves the data/information formations and can be assigned any name  
5 that enables the file to be later accessed and its contents retrieved for further processing.

6  
7 The cited passage discloses that the PDF 140 can be stored in any format. But this  
8 passage does not disclose or suggest that the reformatting takes place "without user  
9 interaction," as recited in claim 1.

10 Accordingly, for at least the above-stated illustrative and non-exhaustive reasons,  
11 Beller does not disclose the subject matter recited in independent claim 1.

12 Turning now to independent claim 4, this claim recites:

13  
14 4. A method comprising:

15 receiving user input identifying desired analysis;

16 retrieving user data from a data store;

17 reformatting the user data in accordance with the desired analysis;

18 computing factors for the desired analysis;

19 formatting output from results of the computation for presentation to the user; and

20 presenting the output to the user in response to input from the user requesting output  
21 presentation,

22 wherein the steps of retrieving, reformatting, computing and formatting are automated,  
23 responsive to the step of receiving and otherwise substantially devoid of interaction with the user  
24 for receiving input.  
25

1 Beller does not teach or suggest the element in claim 4 which recites, "computing  
2 factors for the desired analysis," in combination with the remainder of this claim's  
3 elements, when considered as a whole. The Office Action identifies column 19, lines 52-  
4 64 of Beller as having relevance to the above-identified feature. However, this portion of  
5 Beller states:

6  
7 At step 602 the CPU 2, via programming code of the DPCM 128 and formulas and/or  
8 functions of the DPFM 132, performs the specified formula and/or function routines on the  
9 retrieved DUs 80 in the DRPF 136. These formulas and/or functions perform at least one of the  
10 following routines on at least one element of the data or information: mathematical analyses,  
11 logical analyses, format modification, arrangement into specified formations, and any other  
12 suitable analysis and organization formulas and/or functions. If desired, a suitable spreadsheet  
13 program can utilize a single spreadsheet or plurality of linked (interconnected) and/or independent  
14 spreadsheets to perform these formula and/or function routines.

15  
16 This passage shows that Beller's invention can perform various analyses, but there is no  
17 disclosure or suggestion that any of these analyses can be reasonably construed to include  
18 "computing factors for the desired analysis."

19 Further, Beller does not teach or suggest the terminal element in claim 4 which  
20 recites at least, "wherein the steps of retrieving, reformatting computing and formatting  
21 are automated, responsive to the step of receiving and otherwise substantially devoid of  
22 interaction with the user for receiving input," in combination with the remainder of this  
23 claim's elements, when considered as a whole. The Office Action identifies column 20,  
24 lines 22-29 of Beller. However, column, lines 22-42 of Beller states:

1           The computational skill example above will again be used to illustrate the  
2           data/information retrieval, analysis, and formation routines of the processing and reporting method  
3           of the present invention. Upon completion of the DPM 124 at step 601 the CPU 2, via  
4           programming code of the DPCM 128 and formulas and/or functions of the DPFM 132, retrieves  
5           the DUs 80 from the student's IRFs 40 and returns them to the DRPF 136. In this example, the  
6           DPCM 128, DPFM 132, DRPF 136 are all contained in a Microsoft Excel "workbook", which is  
7           comprised of at least one of spreadsheets, macros, and Visual Basic modules that are saved as a  
8           single file in storage device 8. The DUs 80 are retrieved using a Visual Basic copy command from  
9           the DPCM 128 and lookup and reference formulas and/or functions of the DPFM 132. Note that  
10          since Visual Basic commands and Excel functions and formulas are generally known to persons  
11          skillful in Visual Basic and Excel spreadsheet programming, and since there may a plurality of  
12          suitable ways in which the code, functions, and formulas may be written, the specific  
13          alphanumeric content and structure will not be described in detail herein.

14  
15       This excerpt of Beller recites *inter alia*, "Upon completion of the DPM 124 at step 601  
16       the CPU 2, via programming code of the DPCM 128 and formulas and/or functions of the  
17       DPFM 132, retrieves the DUs 80 from the student's IRFs 40 and returns them to the  
18       DRPF 136." But this passage simply refers to the temporal order in which certain  
19       operations identified by Beller are performed. This passage does not disclose or suggest  
20       that operations of "retrieving, reformatting, computing and formatting" are "automated,  
21       responsive to the step of receiving and otherwise substantially devoid of interaction with  
22       the user for receiving input."

23       Accordingly, for at least the above-stated illustrative and non-exhaustive reasons,  
24       Beller does not disclose the subject matter recited in independent claim 4.

25       Turning now to independent claim 9, this claim recites in full:

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2 9. A method comprising:  
3 presenting a spreadsheet to a user on a display wherein the spreadsheet comprises a  
4 plurality of pre-defined pages;  
5 receiving tabular data in a canonical form into a data page of the plurality of pre-defined  
6 pages;  
7 receiving configuration input into a user interaction page of the plurality of pre-defined  
8 pages wherein the configuration input indicates a type of statistical analysis to be performed and  
9 indication of elements involved in the statistical analysis;  
10 automatically reformatting the tabular data in accord with the type of statistical analysis  
11 without further user interaction;  
12 automatically performing the indicated statistical analysis for all indicated elements  
13 without further interaction wherein the statistical analysis identifies a significant factor in the  
14 tabular data; and  
15 generating results of the statistical analysis in a result page of the plurality of pre-defined  
16 pages wherein the results identify the significant factor.  
17

18 Beller does not teach or suggest at least the element in claim 9 which recites,  
19 "receiving configuration input into a user interaction page of the plurality of pre-defined  
20 pages wherein the configuration input indicates a type of statistical analysis to be  
21 performed and indication of elements involved in the statistical analysis," in combination  
22 with the remainder of this claim's elements, when considered as a whole. The Office  
23 Action again identifies column 16, lines 6-19 of Beller (as reproduced above) as having  
24 relevance to the above-identified feature. As noted above, this passage discloses *inter*  
25 *alia* that Beller's system employs error correction routines. But there is not even a hint in

1 this passage pertaining to the above-described subject matter of claim 9. That is, error  
2 correction routines do not even remotely imply the use of a user interaction page for  
3 receiving configuration input.

4 Moreover, the element of claim 9 identified above specifically recites that  
5 “configuration input indicates a type of statistical analysis to be performed *and indication*  
6 *of elements involved in the statistical analysis*” (emphasis added). Beller nowhere  
7 discloses receiving configuration input that indicates elements involved in statistical  
8 analysis; certainly, the passage cited in the Office Action does not disclose or suggest this  
9 claimed subject matter.

10 Further, Beller does not teach or suggest the element in claim 9 which recites,  
11 “automatically reformatting the tabular data in accord with the type of statistical analysis  
12 without further user interaction,” in combination with the remainder of this claim’s  
13 elements, when considered as a whole. The Office Action identifies column 20, lines 4-  
14 21 of Beller (reproduced above) as having relevance to the above-identified feature. As  
15 set forth above, this cited passage discloses *inter alia* that the PDF can be stored in any  
16 format. But this passage does not disclose or suggest that the reformatting takes place  
17 “without further user interaction,” as recited in claim 9.

18 Further still, Beller does not teach or suggest the elements in claim 9 which recite,  
19 “automatically performing the indicated statistical analysis for all indicated elements  
20 without further interaction wherein the statistical analysis identifies a significant factor in  
21 the tabular data,” and “generating results of the statistical analysis in a result page of the  
22 plurality of pre-defined pages wherein the results identify the significant factor,” in  
23 combination with the remainder of this claim’s elements, when considered as a whole.  
24 The Office Action cites column 19, lines 52-64 and column 20, lines 22-42 of Beller  
25 (reproduced above) as having relevance to the above-identified features. These passages



1 show that Beller's invention can perform various analyses, but neither of these passages  
2 discloses or suggests processing which "identifies a significant factor in the tabular data,"  
3 as recited in claim 9.

4 Accordingly, for at least the above-stated illustrative and non-exhaustive reasons,  
5 Beller does not disclose or suggest the subject matter recited in independent claim 9.

6 The remaining independent claims – i.e., claims 18 and 23 – recite related subject  
7 matter to claims 4 and 9, respectively. Accordingly, the Applicant submits that these  
8 claims are not disclosed or suggested by Beller for reasons similar to those presented  
9 above.

10 The dependent claims, including the dependent claims newly added in this  
11 Response (claims 32-34), are not anticipated or rendered obvious by Beller at least by  
12 virtue of these claims' dependency on their respective independent claims. Moreover,  
13 these claims recite additional subject matter which is not disclosed or suggested by  
14 Beller.

15 As stated in MPEP § 2131, "A claim is anticipated only if each and every element  
16 as set forth in the claim is found, either expressly or inherently described, in a single prior  
17 art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053  
18 (Fed. Cir. 1987). As noted above, Beller fails to disclose all of the elements in any of the  
19 claims, and, indeed, Beller describes a very different approach than the invention recited  
20 in the claims. Accordingly, Beller fails to anticipate any of the claims under 35 U.S.C.  
21 § 102.

22 Although not articulated in the Office Action, it is perhaps the Patent Office's  
23 position that certain portions of the claimed subject matter are inherent to Beller. The  
24 Applicant disagrees with such a position if indeed it is the position of the Patent Office.  
25 Further, as stated in MPEP § 2112, "In relying upon the theory of inherency, the

1 examiner must provide a basis in fact and/or technical reasoning to reasonably support  
2 the determination that the allegedly inherent characteristic necessarily flows from the  
3 teachings of the applied prior art." *Ex parte Levy*, 17 USPQ2d 1461, 1464 (Bd. Pat. App.  
4 & Inter. 1990) (emphasis in original). Thus, if the Patent Office is relying on a theory of  
5 inherency, it must demonstrate that the features said to be inherent in Beller do in fact  
6 necessary flow from its teachings.

7 For the above-identified reasons, the Applicant submits that the 35 U.S.C.  
8 § 102(b) rejection is misplaced, and therefore respectfully requests that it be withdrawn.  
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1 *Conclusion*

2 The arguments presented above are not exhaustive; Applicant reserves the right to  
3 present additional arguments to fortify its position. Further, Applicant reserves the right  
4 to challenge the prior art status of one or more documents cited in the Office Action.

5 In conclusion, all objections and rejections raised in the Office Action having  
6 been addressed, it is respectfully submitted that the present application is in condition for  
7 allowance and such allowance is respectfully solicited. The Examiner is urged to contact  
8 the undersigned if any issues remain unresolved by this Amendment.

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10  
11 Respectfully Submitted,

12 Dated: 8/30/2005

13 By: David M. Huntley  
14 David M. Huntley  
15 Reg. No. 40,309  
16 (509) 324-9256  
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